

1 10A NCAC 13P .1403 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 13P .1403 CONDITIONS FOR RESTRICTED PRACTICE WITH LIMITED PRIVILEGES**

4 (a) In order to assist in determining eligibility for an individual to return to restricted practice with an encumbered  
5 credential containing limited privileges pursuant to G.S. 143-509(13), the OEMS shall create a standing  
6 Reinstatement Committee that shall consist of at least the following members:

7 (1) one physician licensed by the North Carolina Medical Board, representing EMS Systems who  
8 shall serve as Chair of this committee;

9 (2) one counselor trained in chemical addiction or abuse therapy; and

10 (3) the OEMS staff member responsible for managing the Chemical Addiction or Abuse Treatment  
11 Program.

12 ~~(a)~~ (b) Individuals who have surrendered their his or her EMS credential credential(s) as a condition of entry into  
13 the treatment program program, as established in Rule .1402(4) of this Section, may be reviewed by the EMS  
14 Disciplinary OEMS Reinstatement Committee to determine if a recommendation to the OEMS for issuance of an  
15 encumbered EMS credential is warranted. warranted by the Department.

16 ~~(b)~~ (c) In order to obtain an encumbered credential with limited privileges, an individual must shall:

17 (1) be compliant for a minimum of 90 consecutive days with the treatment program described in  
18 Paragraph (b) of Rule .1402 .1401 of this Section;

19 (2) be recommended in writing for review by the individual's treatment counselor;

20 (3) be interviewed by the EMS Disciplinary OEMS Reinstatement Committee; and

21 (4) be recommended in writing by the EMS Disciplinary OEMS Reinstatement Committee for  
22 issuance of an encumbered EMS credential. The EMS Disciplinary OEMS Reinstatement  
23 Committee shall detail in their recommendation to the OEMS all restrictions and limitations to the  
24 individual's practice privileges.

25 ~~(c)~~ (d) The individual must shall agree to sign a consent agreement with the OEMS which that details the practice  
26 restrictions and privilege limitations of the encumbered EMS credential, and which that contains the consequences  
27 of failure to abide by the terms of this agreement.

28 ~~(d)~~ (e) The individual shall be issued the encumbered credential within 10 business days following execution of the  
29 consent agreement described in Paragraph ~~(c)~~ (d) of this Rule.

30 (f) The encumbered EMS credential shall be valid for a period not to exceed four years.

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32 *History Note: Authority G.S. 131E-159(f); 143-508(d)(10); ~~143-509(13); 143-519;~~*

33 *Eff. October 1, ~~2010~~ 2010;*

34 *Readopted Eff. January 1, 2017.*